

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	01 C 9393	DATE	12/28/2001
CASE TITLE	Eric R. Ralford vs. Fantastic Sams		


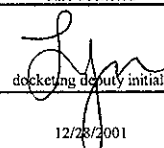
[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> General Rule 21 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry] Enter Memorandum Opinion and Order. Unless Ralford's appointed counsel files in this Court's chambers on or before January 14, 2002 an explanation as to why dismissal is not in order, this Court will be constrained to dismiss this action because of Ralford's failure to have conformed to the statutory precondition of a timely filing of his Charge.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/>	No notices required, advised in open court.	
<input type="checkbox"/>	No notices required.	
<input checked="" type="checkbox"/>	Notices mailed by judge's staff.	
<input type="checkbox"/>	Notified counsel by telephone.	
<input type="checkbox"/>	Docketing to mail notices.	
<input type="checkbox"/>	Mail AO 450 form.	
<input type="checkbox"/>	Copy to judge/magistrate judge.	
SN	courtroom deputy's initials	JAN 02 2002 date docketed  docketing deputy initials 12/28/2001 date mailed notice SN mailing deputy initials
		Date/time received in central Clerk's Office

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
JAN 02 2002

ERIC R. RALFORD,)	
)	
Plaintiff,)	
)	
v.)	No. 01 C 9393
)	
FANTASTIC SAMS,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

After Eric Ralford ("Ralford") had submitted a self-prepared Complaint of Employment Discrimination against his former employer Fantastic Sams, using the form provided by this District Court's Clerk's Office for use by pro se litigants, this Court both (1) appointed an attorney to represent Ralford and (2) asked Ralford or his counsel to provide photocopies of Ralford's Charge of Discrimination ("Charge") and EEOC's right-to-sue letter (neither of which had been attached to the Complaint, despite its directives to do so). Those documents have now been tendered, and they appear to require the threshold dismissal of this action.

According to the Charge, Ralford's termination date of May 14, 2000 quite understandably represented the last date on which he was the victim of asserted sex and color discrimination by Fantastic Sams. But the Charge reflects that Ralford did not sign it until April 18, 2001--and though EEOC's date stamp is unclear from the photocopy delivered to this Court, the Charge

seems to have been filed the next day.

Those dates have confirmed as a factual matter a defect that this Court had noted in the Complaint, but that it thought might simply have been attributable to a mistake on the part of nonlawyer Ralford in filling in the blanks in the form Complaint ¶¶ 6 and 7(a): the Charge's having been filed outside of the 300-day limitation period established by 42 U.S.C. §2000e-5(e)(1). Accordingly, unless Ralford's appointed counsel files in this Court's chambers on or before January 14, 2002 an explanation as to why dismissal is not in order, this Court will be constrained to dismiss this action because of Ralford's failure to have conformed to the statutory precondition of a timely filing of his Charge.



Milton I. Shadur
Senior United States District Judge

Date: December 28, 2001